

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,	)	<b>INDICTMENT</b>	CR 22-297 DWF/DTS
	)		
Plaintiff,	)	18 U.S.C. § 922(o)	
	)	18 U.S.C. § 924(a)(2)	
v.	)	18 U.S.C. § 924(d)(1)	
	)	21 U.S.C. § 841(a)(1)	
DARRIAN MITCHELL NGUYEN,	)	21 U.S.C. § 841(b)(1)(B)	
	)	21 U.S.C. § 853	
Defendant.	)	26 U.S.C. § 5861(d)	
	)	26 U.S.C. § 5871	
	)	28 U.S.C. § 2461(c)	

THE UNITED STATES GRAND JURY CHARGES THAT:

**COUNT ONE**

(Possession with the Intent To Distribute Methamphetamine)

On or about October 4, 2022, in the State and District of Minnesota, the defendant,

**DARRIAN MITCHELL NGUYEN,**

did knowingly and intentionally possess with intent to distribute 50 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, all in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

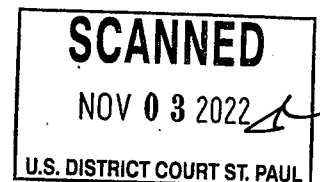
**COUNT TWO**

(Unlawful Possession of a Machine Gun)

On or about October 4, 2022, in the State and District of Minnesota, the defendant,

**DARRIAN MITCHELL NGUYEN,**

did knowingly possess a machine gun, namely a rifle bearing serial number CWP80-1, equipped with an attached conversion device, commonly known as a "switch" or "auto



sear,” enabling it to be fired as a fully automatic weapon by a single function of the trigger, knowing it had characteristics that made it a machine gun as defined by Title 26, United States Code, Section 5845(b), and seven additional conversion devices, commonly known as “switches” or “auto sears,” knowing they had characteristics that made them machine guns as defined by Title 26, United States Code, Section 5845(b), all in violation of Title 18, United States Code, Sections 922(o) and 924(a)(2).

**COUNT THREE**

(Receipt or Possession of Firearm Not Registered in the  
National Firearms Registration and Transfer Record)

On or about October 4, 2022, in the State and District of Minnesota and elsewhere,  
the defendant,

**DARRIAN MITCHELL NGUYEN,**

knowingly possessed firearms, as defined by Title 26, United States Code, Section 5845(a), not registered to him in the National Firearms Registration and Transfer Record as required by law, including: (1) a rifle having a barrel or barrels of less than 16 inches in length, bearing serial number CWP80-1, equipped with an attached conversion device, commonly known as a “switch” or “auto sear”; (2) a rifle having a barrel or barrels of less than 16 inches in length, bearing serial number PA182582; and (3) a weapon made from a shotgun, which, as modified, has a barrel of less than 18 inches in length and serial number R456846, all in violation of Title 26, United States Code, Sections 5861(d) and 5871.

**FORFEITURE ALLEGATIONS**

Counts One through Three of this Indictment are incorporated by reference for the purpose of alleging forfeitures pursuant to Title 21, United States Code, Section 853.

If convicted of Count One of this Indictment, the defendant shall forfeit to the United States, pursuant to Title 21, United States Code, Sections 853(a)(1) and (2), any and all property constituting, or derived from, any proceeds obtained directly or indirectly as a result of each such violation, and any and all property used, or intended to be used, in any manner or part to commit or to facilitate the commission of said violations.

If any of the above-described forfeitable property is unavailable for forfeiture, the United States intends to seek the forfeiture of substitute property as provided for in Title 21, United States Code, Section 853(p).

If convicted of Count Two of this Indictment, the defendant shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), any and all firearms, ammunition, and accessories involved in or used in connection with the crime of conviction, including, but not limited to a rifle bearing serial number CWP80-1, equipped with an attached conversion device, and seven additional conversion devices.

If convicted of Count Three of the Indictment, the defendant shall forfeit to the United States, pursuant to Title 26, United States Code, Section 5872 and Title 28, United States Code, Section 2461(c), any firearm involved in any violation of the National Firearms Act, including, but not limited to: (1) a rifle having a barrel or barrels of less than 16 inches in length, bearing serial number CWP80-1, equipped with an attached conversion device, commonly known as a "switch" or "auto sear"; (2) a rifle having a barrel or barrels of less than 16 inches in length, bearing serial number PA182582; and (3) a weapon made

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from a shotgun, which, as modified, has a barrel of less than 18 inches in length and serial number R4568.

A TRUE BILL

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UNITED STATES ATTORNEY

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FOREPERSON